

## Council Policy

Council Policy Name: Payments and Presentations on Termination

Responsible Directorate: Finance and Corporate Services

Version: Adopted

### 1. PURPOSE

- 1.1. The purpose of this Policy is to provide a framework for recognising, where relevant, the contribution of employees when they voluntarily leave the employment of the City.
- 1.2. This Policy also sets out the circumstances in which the City of Busselton will pay an employee a severance payment in addition to any amount the employee is entitled to under their contract of employment, industrial instrument or order of a court or industrial tribunal, in accordance with Section 5.50 of the *Local Government Act 1995* (WA).

### 2. SCOPE

- 2.1. This Policy is applicable to all City of Busselton employees.

### 3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "Payments and Presentations on Termination"

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to the following themes and strategic priorities of the City's Strategic Community Plan 2021:

Strategic Theme	Strategic Priority
Key Theme 4 LEADERSHIP	4.4: Govern a professional organisation that is healthy, capable and engaged.

### 5. POLICY STATEMENT

#### Recognition of service

- 5.1. The Chief Executive Officer is authorised, at their discretion to make a contribution towards a gift to recognise the service of employees voluntarily leaving the employment of the City, including at the end of a fixed or maximum term contract, up to the value outlined in the table below:

Years of Service	Council Contribution
1 to 5 Years	\$50
5 to 10 Years	\$100
10 to 15 Years	\$150
15 to 20 Years	\$200

20 to 25 Years	\$350
More than 25 Years	\$500

- 5.2. Gifts enabled under this Policy will generally be presented to the employee at a farewell function held on City premises.
- 5.3. A contribution of up to \$200 may be provided for the purposes of a farewell function, or, where the CEO considers that special circumstances apply, a contribution of up to \$300 may be made.

#### **Settlement of an employment-related claim**

- 5.4. Subject to the Chief Executive Officer's approval, the City may make a severance payment to an employee in settlement of a dispute where an employee has, or is reasonably likely to take action or make a claim under any relevant industrial relations legislation. Any such decision will be made in accordance with Regulation 19A of the *Local Government (Administration) Regulations 1996* (WA).
- 5.5. Clause 5.4 does not apply to the Chief Executive Officer.
- 5.6. In assessing and making a severance payment, the following factors will be considered:
- the amount recommended by legal advisors, a court or industrial tribunal to settle the matter;
  - the exposure or potential exposure to litigation and the strength of the respective cases;
  - the cost or potential cost of legal services in relation to the matter; and
  - the disruption to operations and cost to the organisation of the dispute ongoing.
- 5.7. The amount of any severance payment will be no more than the value of the employee's final annual remuneration.

## **6. RELATED DOCUMENTATION / LEGISLATION**

- 6.1. *Local Government Act 1995*
- 6.2. *Local Government (Administration) Regulations 1996*
- 6.3. *City of Busselton Enterprise Agreement 2021*

## 7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	18 October 2023	Resolution #	C2310/128
Previous Adoption	DATE	26 June 2019	Resolution #	C1906/107